

MINUTES
BOARD OF APPEALS
VILLAGE OF SEA CLIFF
VILLAGE HALL
300 SEA CLIFF AVENUE
SEA CLIFF, NEW YORK 11579

April 27, 2011

Present:	Chair	Kevin McGilloway
	Members	Dina Epstein
		Noel Griffin
		Ted Kopczynski

The meeting was called to order at 8:00 pm.

The Board opened the public hearing on the application of Michael F. Moses, 162 Franklin Avenue, Sea Cliff, New York to construct a rear second story addition, which requires variances of the following Village Code sections: (a) 138-404 to maintain a lot size of 4,800 square feet, where a minimum of 7,500 square feet is required; (b) 138-408 to maintain a front yard setback of 5.5 feet, where a minimum of 20 feet is required; (c) 138-411 to maintain a side yard setback of 8.2 feet, where a minimum of 10 feet is required; (d) 138-412 to maintain a rear yard setback of 4.9 feet, where a minimum of 20 feet is required; (e) 138-413.1 to increase a pre-existing non-compliant encroachment into the height/setback area; and (f) 138-414.1 to increase floor area from 1,636 square feet to 2,037 square feet, where a maximum of 1,824 square feet is permitted. Premises are designated as Section 21, Block 178, Lot 319 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of David Keenan, 55 18th Avenue, Sea Cliff, New York to construct a patio in a side yard which

requires a variance of Village Code §138-416 in that the side yard setback will be 5 feet, where a minimum of 10 feet is required. Premises are designated as Section 21, Block 155, Lot 2 on the Nassau County Land and Tax Map. The Board closed the public hearing, and reserved decision.

The Board opened the public hearing on the application of Alan and Judith Mitzner, 145 Glenlawn Avenue, Sea Cliff, New York to construct a second story addition which requires variances of the following Village Code sections: (a) 138-513 to maintain an existing height of 37 feet, where a maximum of 30 feet is permitted; and (b) 138-514.1 to increase floor area from 6,412 square feet to 7,500 square feet, where the maximum permitted is 5,310.3 square feet. Premises are designated as Section 21, Block 109, Lot 208 on the Nassau County Land and Tax Map. The Board continued the application to May 17, 2011 at 8:00pm.

The Board opened the public hearing on the application of Amy Hommel, 22 Marden Avenue, Sea Cliff, New York to enlarge a garage, install a garden wall and a greenhouse, which require variances of the following Village Code sections: (a) 138-511 in that the garden wall will encroach into the side yard setback, and (b) 138-514.1 in that the floor area will increase from 5,702 square feet to 5,928 square feet, where the maximum permitted is 4,396 square feet. Premises are designated as Section 21, Block 301, Lot 203 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board indicated that it had received information from the building department concerning the application of Angelique Real Estate Holding Corp. in connection with the non-conforming use of the premises.

The Board discussed the Moses application. After such discussion, on motion duly made by Mr. Griffin, seconded by Mr. Kopczynski, and adopted unanimously, the Board determined that it is the lead agency, the application is a Type II matter under SEQRA which requires no further environmental review, and granted the application in accordance with the decision annexed hereto.

The Board discussed the Keenan application. After such discussion, on motion duly made by Ms. Epstein, seconded by Mr. Kopczynski, and adopted unanimously, the Board determined that it is the lead agency, the application is a Type II matter under SEQRA which requires no further environmental review, and granted the application in accordance with the decision annexed hereto.

The Board discussed the Hommel application. After such discussion, on motion duly made by Mr. Griffin, seconded by Ms. Epstein, and adopted unanimously, the Board determined that it is the lead agency, the application is a Type II matter under SEQRA which requires no further environmental review, and granted the application in accordance with the decision annexed hereto.

The Board discussed the Angelique Holdings Corp. application. After such discussion, on motion duly made by Mr. Griffin, seconded by Ms. Epstein, and adopted unanimously, the Board determined that it is the lead agency, the application is a Type II matter under SEQRA which requires no further

environmental review, and granted the application in accordance with the decision annexed hereto.

The Board discussed a letter request from Thomas Abate, Esq., dated April 6, 2001 requesting that the Board reopen the public hearing on the application of 625 Main Street LLC in connection with a request to reverse or modify a determination Board of Architectural Review. The Board took no action on the letter request.

There being no further business, the meeting was adjourned at 9:50 pm.

MOSES SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on April 27, 2011, on motion duly made by Mr. Griffin, seconded by Mr. Kopczynski, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following findings and determination:

1. Michael F. Moses, 162 Franklin Avenue, Sea Cliff, New York applied to construct a rear second story addition, which requires variances of the following Village Code sections: (a) 138-404 to maintain a lot size of 4,800 square feet, where a minimum of 7,500 square feet is required; (b) 138-408 to maintain a front yard setback of 5.5 feet, where a minimum of 20 feet is required; (c) 138-411 to maintain a side yard setback of 8.2 feet, where a minimum of 10 feet is required; (d) 138-412 to maintain a rear yard setback of 4.9 feet, where a minimum of 20 feet is required; (e) 138-413.1 to increase a pre-existing non-compliant encroachment into the height/setback area; and (f) 138-414.1 to increase floor area from 1,636 square feet to 2,037 square feet, where a maximum of 1,824 square feet is permitted. Premises are designated as Section 21, Block 178, Lot 319-320 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction is in compliance with the plans submitted with the application and all requirements of the building department; and (b) within eighteen months after the filing of this decision with the Village Clerk, the applicant, or his successor in interest, shall obtain at applicant's sole cost and expense all certificates of occupancy, completion or compliance that may be required for such work.

KEENAN SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on April 27, 2011, on motion duly made by Ms. Epstein, seconded by Mr. Kopczynski, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following findings and determination:

1. David Keenan, 55 18th Avenue, Sea Cliff, New York applied to construct a patio in a side yard which requires a variance of Village Code §138-416 in that the side yard setback will be 5 feet, where a minimum of 10 feet is required. Premises are designated as Section 21, Block 155, Lot 2 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction is in compliance with the plans submitted with the application and all requirements of the building department; and (b) within eighteen months after the filing of this decision with the Village Clerk, the applicant, or his successor in interest, shall obtain at applicant's sole cost and expense all certificates of occupancy, completion or compliance that may be required for such work.

HOMMEL SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on April 27, 2011, on motion duly made by Mr. Griffin, seconded by Ms. Epstein, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following findings and determination:

1. Amy Hommel, 22 Marden Avenue, Sea Cliff, New York applied to enlarge a garage, install a garden wall and a greenhouse, which require variances of the following Village Code sections: (a) 138-511 in that the garden wall will encroach into the side yard setback, and (b) 138-514.1 in that the floor area will increase from 5,702 square feet to 5,928 square feet, where the maximum permitted is 4,396 square feet. Premises are designated as Section 21, Block 301, Lot 203 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction is in compliance with the plans submitted with the application and all requirements of the building department; and (b) within eighteen months after the filing of this decision with the Village Clerk, the applicant, or his successor in interest, shall obtain at applicant's sole cost and expense all certificates of occupancy, completion or compliance that may be required for such work.

ANGELIQUE HOLDINGS SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on April 27, 2011, on motion duly made by Mr. Griffin, seconded by Ms. Epstein, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following findings and determination:

1. Angelique Real Estate Holding Corp., by James Chester, President, 229 Glen Cove Avenue, Sea Cliff, New York applied to construct a one story addition to an existing non-conforming building, which requires variances of the following Village Code provisions: (a) 138-905 in that the size of the existing building will be increased where 2 principal buildings exist on one lot, thus increasing the non-conformity; (b) 138-908 in that the building will be set back from the front property line 7.4 feet, where the requirement is the average of the street or a maximum of 15 feet; and (c) 138-917 in that the buffer area will be 5 feet and 10 feet, where a minimum buffer area of 20 feet is required. Premises are designated as Section 21, Block 100, Lot 8 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction is in compliance with the plans submitted with the application and all requirements of the building department; and (b) within eighteen months after the filing of this decision with the Village Clerk, the applicant, or his successor in interest, shall obtain at applicant's sole cost and expense all certificates of occupancy, completion or compliance that may be required for such work.